



**LEGAL SERVICES CORPORATION**

**Office of Program Performance**

**Final Report**

**for**

**Program Quality Visit**

**to**

**LEGAL SERVICES OF NORTHERN VIRGINIA**

**Recipient No. 447007**

**November 3 – 10, 2014**

***OPP Visit Team:***

***Angela Thornton, Program Counsel, Team Leader***

***David Bonebrake, Program Counsel***

***Carolyn Worrell, LSC Temporary Employee***

***William Cobb, Fellow, College of Law Practice Management***

**Legal Services of Northern Virginia  
Draft Report  
Program Quality Report**

**Table of Contents**

<b>INTRODUCTION.....</b>	<b>1</b>
<b>OVERVIEW OF THE PROGRAM AND SERVICE AREA .....</b>	<b>1</b>
<b>REPORT SUMMARY.....</b>	<b>2</b>
<b>FINDINGS CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>4</b>
<b>PERFORMANCE AREA ONE. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs.....</b>	<b>4</b>
<b>PERFORMANCE AREA TWO. Effectiveness in engaging and serving the low-income population throughout the service area .....</b>	<b>5</b>
<b>Engagement with and access by the low-income population .....</b>	<b>8</b>
<b>PERFORMANCE AREA THREE. Effectiveness of legal representation and other program activities intended to benefit the low-income population.....</b>	<b>11</b>
<b>Legal Representation .....</b>	<b>11</b>
<b>Private Attorney Involvement .....</b>	<b>15</b>
<b>Other program services and activities on behalf of the low-income population.....</b>	<b>19</b>
<b>PERFORMANCE AREA FOUR. Effectiveness of governance, leadership and administration. ....</b>	<b>20</b>
<b>Board Governance .....</b>	<b>20</b>
<b>Leadership .....</b>	<b>21</b>
<b>Overall management and administration including financial management and human resource administration.....</b>	<b>22</b>
<b>Internal Communication .....</b>	<b>24</b>
<b>Technology .....</b>	<b>24</b>
<b>Resource Development .....</b>	<b>25</b>
<b>Participation in an Integrated Delivery System.....</b>	<b>25</b>

## **INTRODUCTION**

The Legal Services Corporation (LSC) Office of Program Performance (OPP) conducted a Program Quality Visit to Legal Services of Northern Virginia (LSNV) beginning on November 3 through November 10, 2014. Team members included OPP Program Counsel Angela Thornton (team leader) and David Bonebrake, Temporary Employee Carolyn Worrell and College of Law Practice Management (COLPM) Fellow William Cobb.

Program quality visits are designed to evaluate whether LSC grantees are providing the highest quality legal services to eligible clients. In conducting the evaluation, OPP relies on the LSC Act and regulations, the LSC Performance Criteria, LSC Program Letters and the ABA Standards for the Provision of Civil Legal Aid. The evaluation was organized to follow the four Performance Areas of the LSC Performance Criteria which cover needs assessment and priority setting; access to services and engagement with the low income community; legal work management; and the legal work produced; and program management including board governance, leadership, resource development and coordination within the delivery system. The team reviewed documents provided by the program to LSC, including recent applications for funding, technology and PAI plans, workforce analysis charts and case service and other services reports. The team also reviewed materials requested in advance of the visit, including documents relating to board governance, intake, legal work and case management policies and systems and the results of an online staff survey.

On site, the team visited LSNV's offices located in Alexandria, Arlington, Prince William, Loudoun, Fredericksburg and Fairfax. In addition, the team visited the Fredericksburg office of Rappahannock Legal Services (RLS), a non-LSC funded civil legal aid program. LSNV provides intake, advice and limited services for cases in the southern part of its service area where RLS provides extended services. RLS also receives a sub-grant from LSNV for pro bono services.

The team interviewed LSNV's staff, key board members, stakeholders, community representatives, judges, funders and community partners. Due to time constraints, some interviews were conducted by telephone.

## **OVERVIEW OF THE PROGRAM AND SERVICE AREA**

LSNV is the largest of six LSC-funded civil legal aid programs in Virginia and provides a full range of civil legal aid services to the low income population in the largely suburban counties and cities in northern Virginia. The service area includes: Arlington County, City of Alexandria, Fairfax County, City of Fairfax, City of Falls Church, Town of Herndon, City of Leesburg, Loudoun County, City of Manassas, Town of Manassas Park, Prince William County, and Town of Vienna. The northern part of the service area is the highest-income region of Virginia.

LSNV provides intake, advice, referral and other limited services to the southern portion of the service area that is primarily rural and less densely populated than the northern region. This large geographic area consists of 16 counties and the City of Fredericksburg. It is also served by

Rappahannock Legal Services, a non-LSC funded civil legal aid program. For the six years prior to 2010, LSC funding had been granted to Potomac Legal Aid Society (PLAS). LSNV had previously been a LSC grantee and served the northern portion of the service area. PLAS provided intake, advice, referral and other limited services to the entire VA-20 service area. LSNV and RLS provided full services in their respective service areas. During 2009, LSNV and PLAS engaged in an extensive planning process that resulted in the merger that became effective in early 2010. LSNV has been the LSC grantee since 2010.

According to the American Community Survey table (2012), the poverty population estimate for the service area is 191,875. Of those reflected in the estimate, approximately 51% is white; 26% is Hispanic; 21% is African American, 11% is Native Hawaiian/Pacific Islander and 11% is Asian.

LSNV received \$1,122,212 in basic field grant funds for 2014, which was slightly above its LSC field grant in 2013 of \$1,062,586. The program's non-LSC funds increased from \$3,356,401 in 2012 to \$3,476,498 in 2013. Each year the program sub-grants \$45,000 of its LSC funds to RLS for the provision of pro bono services to the eligible client population located in the southern portion of the service area.

LSNV suffered an unexpected loss in funding in the amount of \$250,000 from the Fairfax County Bar Foundation's Consolidated Community Funding Pool in the 2015 fiscal year. The program experienced a deficit in 2012-2013 due to other losses in funding. In order to offset the budgetary shortfalls, the program closed the Falls Church office and elected not to fill eleven staff positions over the past three years. At the time of the visit, the program employed 53 staff, including 27 staff attorneys and a Dunn-Chadwick Domestic Violence Family Law Fellow.

The LSC Office of Compliance and Enforcement (OCE) conducted an on-site Case Service Report/Case Management System review in July 2011. The LSC Office of the Inspector General (OIG) conducted a routine review of the program in October 2011. All outstanding issues had been resolved by the date of the program quality visit.

## **REPORT SUMMARY**

LSNV appears to be a highly motivated legal services program. It has established strong ties with court systems in the service area, the private bar, community organizations, other legal services providers, and statewide partners. As a result, the program is a highly respected law firm in northern Virginia and throughout the state.

The program is led by a capable, experienced executive team consisting of an executive director and a deputy director, who also acts as director of litigation. Staff indicated a high level of regard and respect for the program's executive team. The program's leaders are commended for working together to consolidate and strengthen the program as it assumed responsibility for merging in the former LSC provider, Potomac Legal Aid Society.

The program is governed by a strong and effective board of directors who meet regularly and appear to be proficient in the execution of their oversight responsibilities. The board is engaged in fundraising and takes seriously its role as ambassadors for the program.

LSNV has a solid reputation with the judiciary, private bar and community organizations in the service area. The LSC team learned much about the good work done by advocates from judges; funders spoke about the program's responsiveness to requests and the quality of its services to clients; and other providers commented positively on their partnerships with LSNV.

LSNV has been successful in assembling a strong corps of legal advocates who are well trained, highly skilled and experienced, and committed to the program's overall mission. Advocates provide quality legal representation to clients and demonstrate a genuine commitment to the program's mission and work. The LSC visit team noted the authentic collegiality among staff generally and between offices. The program has adopted a practice team approach to its work, and staff demonstrated respect for the contributions of all members of the teams.

The program has invested significant financial and staff resources in updating its technology infrastructure and in designing and implementing its centralized intake system. During the visit, the LSC team learned about plans to further develop both these systems to further expand client access to services.

There are other areas where LSNV has excelled that are not enumerated here. As the program moves forward into the next phase of its growth, there are areas that will need further development and attention in order to continue LSNV's trend toward becoming a quality, innovative program. LSC believes that the program would benefit greatly from:

- Ensuring the completion of its strategic planning initiative that considers the needs of the service area, particularly those of vulnerable client populations; and sets a proactive course for the program's future;
- Continuing to seek ways to review, evaluate and adjust its centralized intake system so that it remains innovative and effective for applicants in the service area. For example, the program should review the quality of services provided by intake staff, intake staff training, use of technology, timeliness of services provided, feedback from applicants and other staff;
- Reviewing the program's policy on services to clients with limited English proficiency;
- Evaluating the effectiveness of its managing and supervising attorneys, and ensuring that all are held to the appropriate standards of performance.
- Examining how to enhance the deputy director's role as director of client services or consider hiring a litigation director to assist the management team and to supervise the legal staff; and,
- Developing additional human resource management tools to enhance, promote and measure employee performance.

Recommendations for improvement and change provided in this report are not indicative of program failure, but are provided to assist LSNV in charting a course forward to realize its potential in becoming a premier law firm.

## FINDINGS CONCLUSIONS AND RECOMMENDATIONS

**PERFORMANCE AREA ONE. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs.**

***Finding 1: The last comprehensive needs assessment was conducted in 2011 as a part of its strategic planning process. The program is in the process of conducting a more current needs assessment and contemplates completion in early 2015.***

As a component of its strategic planning process conducted every three years, LSNV completed its last comprehensive legal needs assessment of the low-income population in its service area in 2011. Each category of stakeholder was contacted, meetings were conducted and surveys were used for the clients, the bench and the bar. The data collection process included distributing surveys to low-income persons, community organizations, social services organizations, courts and other legal services providers and analyzing the results. There were meetings of program staff and the board, and the program conducted a series of five focus groups throughout Northern Virginia. This afforded an opportunity for key community stakeholder to have meaningful participation in the process.. U.S. Census and other data sources were also considered. The most pressing legal needs were identified, as reflected in the program's priorities, in the following substantive areas: family; housing; consumer; income maintenance; health; and education. The emerging legal needs were identified as foreclosures and a greater demand for bankruptcy protection.

LSNV began a similar process in 2014 and has distributed legal needs assessment surveys to the judiciary, the local bar and the community in the service area. The surveys are being distributed in Spanish, as well as English. Participants were asked to assess the program's services where appropriate. The program's on-going informal legal needs assessment has included input from local homeless and domestic violence shelters, the local courts, agencies on aging and community centers such as the Korean Community Service Center and the Boat People SOS.

In addition, RLS conducted an assessment of the legal needs of low-income persons in its service area in connection with faculty and students from the University of Mary Washington. The assessment was begun in 2011 and was published in 2014. The assessment contains several kinds of data: demographic data collected from the Census Bureau's American Community Survey (2006-1010), information from focus groups with service providers, information from a small group of court personnel and data from surveys of low-income community members. Triennial Community Legal Needs Assessment, Produced for Rappahannock Legal Services, Leslie Martin, PhD, January 2014.

***Finding 2: LSNV has been engaged in strategic planning over the past year.***

LSNV's 2011 strategic planning process culminated in the production of a final document titled, "Providing Access to Justice in Challenging Times: A Strategic Plan for Legal Services of Northern Virginia, Inc., 2012-2014." The program incorporated its reviews of the 2006 Virginia Legal Needs Survey, surveys of local non-profits, government agencies, local attorneys and judges as well as client satisfaction surveys, as noted. An overview of LSNV's case trends and financial health over the past ten years was also taken into consideration.

LSNV was in the final stages of developing a new strategic plan at the time of the PQV. The board was invited to attend the strategic planning meetings which were scheduled immediately prior to the board meetings and included representative members of the staff. The goal of the strategic planning process was to determine the future direction of the program. Toward that end, in March 2014, LSNV held an all-day planning retreat to work towards identifying goals that would allow the program to better serve the low income community. LSNV conducted focus group sessions throughout the service area and reviewed the legal needs assessment surveys that were sent to lawyers, judges, community organizations, and members of the low-income population. At the time of the visit, the program anticipated that a new strategic plan would be presented to the board for approval by January 1, 2015.

***Recommendation I.I.1.1\*<sup>1</sup>:***

***LSNV should continue in its efforts to complete its comprehensive needs assessment followed by a corresponding strategic plan ready for implementation in 2015.<sup>2</sup>***

**PERFORMANCE AREA TWO. Effectiveness in engaging and serving the low-income population throughout the service area.**

**Dignity and Sensitivity, including intake**

***Finding 2: LSNV offers access to its services primarily through a centralized, well-designed intake system.***

The program has a fourteen member intake team comprised of intake paralegals and a managing attorney. A paralegal is assigned to each of the six branch offices and six intake paralegals are assigned to the centralized intake office in Fairfax. An additional paralegal in the Prince William

---

<sup>1</sup> Recommendations in this report will have a Roman Numeral to identify the Performance Area, followed by three numbers identifying, respectively, the Criterion addressed by the recommendation, the number of the finding, and a number designating whether it is the first, second, third, etc., recommendation under that finding. For example, III.2.14.3 designates Performance Area III, Criterion 2, Finding 14, third recommendation under finding 14. There are two levels of recommendations in this report. In your next grant renewal application or competitive grant application, your program will be required to report what it has done in response to Tier One Recommendations instead of submitting a full narrative. Recommendations that are indicated with an asterisk are Tier One recommendation and are intended to have a direct and major impact on program quality and/or program performance.

<sup>2</sup> Since the LSC Visit, LSNV has submitted a copy of its 2015 Strategic Plan including which includes its Legal Needs Assessment Study to OPP.

office also serves as the HIV/public benefits paralegal. Through its intake staff, LSNV offers three ways for applicants to access its services: by telephone; in person--by walking-in to a branch office, or applying at or through an outreach site; or through the online application service.

Telephone intake staff uses a VOIP (Voice Over Internet Protocol) system with ACD (Automated Call Distribution), through which the next available intake paralegal across the program can connect and process the intakes during telephone intake hours. The intake paralegals do not provide any advice and are otherwise strictly held to screening the calls for conflicts, income eligibility, and case type. Applicants can also access the online application at any time by going to the program's website and connecting to the online application. In-person intake applications are accepted in each branch office during prescribed hours as well as at remote locations, including several court houses and human services agencies. Virtually all telephone and online applications are processed through the centralized intake unit.

Telephone intake is available Monday through Thursday from 9:30 a.m. until 12:30 p.m. and 1:30 p.m. until 3:30 p.m. Applicants who are unable to reach the centralized intake unit are advised in a pre-recorded message to call back the next business day. The program explained that it does not offer an option for applicants to leave messages because of concerns about responding to these messages in a timely fashion while managing the ongoing all volume. Callers already in the queue have the option to remain on hold or keep their place in the queue and receive a callback from the next available intake paralegal.

Callers are directed to Spanish, Korean or English lines or to the website to apply online. Interpreters are required for languages other than Spanish or Korean. The online intake application is only available in English. Six of the intake paralegals speak Spanish, and one speaks Korean fluently. The intake staff reported that there is a "steady stream" of Hispanic callers on the intake line and that they can accommodate the demand.

Up to this point, the intake process is the same for the northern and southern portions of the service area. In the northern part of the service area, the intake paralegal places qualified applicants on the calendar of a designated case handler based upon his/her office location, type of case and availability. The length of time before an appointment varies depending on the type of case and the availability of attorneys in that area or practice group. There is only one staff attorney available for all of the public benefit cases as a result of a loss of funding. At the time of the visit in November, his calendar was full and appointments were not being scheduled until January 2015. When the client comes in for the appointment, she reviews the application from the case management system, verifies the demographic and financial information and signs the citizenship attestation and certification that the information is correct. The program uses a call-back model for certain categories of family law cases that do not involve domestic violence.



LSNV's intake space in the centralized headquarters presents challenges for the intake staff due to the close proximity of the staff to each other and the lack of sound deadening barriers. The paralegals work in fairly close proximity to one another and use headsets; however, the lack of separate cubicles contributes to distractions for the intake staff.. The problem is particularly acute during the peak call hours in the morning or when the caller has poor cell phone service.

While the telephone system has the capacity to make a variety of reports on the intake volume, length of time in queue, and other indicia of efficiencies, the management of the centralized unit was in transition at the time of the visit, and had not resumed running intake reports since the former managing attorney's departure in August 2014. LSNV staff recognized and acknowledged that resuming this data analysis would provide the program with key insights about the current needs of the low income population. The staff acknowledged that resuming intake data analysis would enhance the program's capacity to objectively monitor the quality and quantity of intake calls and staffing levels. Some intake paralegals reported that there may be up to 15 calls in queue at peak times and that there are many dropped calls. The staff in Fredericksburg noted a decrease in callers getting through the telephone system.

In-person applications for assistance are generally accepted at each branch office, with some variations in hours. In addition intake is accepted at court based offices or services, and at the Arlington Department of Human Services.

The telephone intake system described above is employed for the southern part of the service area as well. However, in contrast to the appointment process used in the north, eligible applicants in the southern part of the service area were placed on call back lists. The LSNV attorneys in the Fredericksburg office then provided counsel and advice and limited services, and where appropriate, referred the case to an RLS advocate for full representation.

The program provided a variety of legal information on its website and on the state-wide website that are self-help resources; however, these resources were not referenced on the program's automated telephone recording.

LSNV has been working on two LSC Technology Initiative Grant (TIG) projects designed to enhance the program's intake services. One involves adding an Access to Justice (A2J) interface with the online application for services (live effective April 2014) and implementing an automated Appointment Reminder System (ARS) – a first of its kind project in legal aid that interfaces with the program's case management system and sends out automated text and voice reminders regarding appointments, court hearings, etc. This system was being beta tested at the time of the visit.

The program has a detailed, well written Intake Manual that was updated in March 2014 and reflects various intake processes. Intake staff has monthly staff meetings to review policies and procedures, including any updates, emerging trends, technology and other relevant issues.

***Recommendation II.1.2.1:***

***LSNV should re-examine its voice messages to add basic legal information or direct callers to other online resources, i.e., valegalaid.org.***

***Recommendation II.1.2.2:***

***LSNV should explore ways to evaluate services received by applicants through its telephone intake system.***

***Recommendation II.1.2.3: \****

***LSNV should consider installing noise-reduction barriers in the centralized intake unit such as cubicles that would provide separation between intake paralegals.***

***Recommendation II.1.2.4:\****

***As soon as possible, LSNV should resume its use of the report functions for the telephone system to analyze the length of time in the queue, the number of drop offs, the distribution of calls and the number of calls. The program should continue to make full use of the report utility available in the case management system to further assist in analyzing data and adapting services to the needs of eligible clients in the service area.***

***Recommendation II.1.2.5:\****

***LSNV is encouraged to examine the intake systems in the northern and southern parts of the service area, and consider duplicating the model used in the south of having designated attorneys (or senior paralegals) interview the eligible clients and provide advice in appropriate situations, prior to scheduling appointments.***

***Finding 3: LSNV adheres to a carefully structured case acceptance matrix to determine which substantive cases qualify for services and the level of service to be provided.***

Most civil legal aid issues are accepted only if they fall within the program's carefully prescribed matrix. At the time of the LSC Visit, it appeared that staff in the Arlington and Alexandria offices had some capacity to assist with core cases in other offices.<sup>3</sup>

**Engagement with and access by the low-income population.**

***Finding 4: LSNV has established a language access task force and is in the process of finalizing a Language Access Plan.***

---

<sup>3</sup> LSNV receives specialized funding from local governments that is limited to services in those jurisdictions, which may limit the ability to assign cases outside of those jurisdictions. .

The staff is relatively diverse and consists of five African American, two Asian/Pacific Islanders and ten Hispanic staff. Of that number, five are attorneys and one is a managing attorney (Hispanic). The program has established an eight-member language access task force consisting of one representative from each branch office. A domestic violence staff attorney in Fairfax and the family law attorney for the Leesburg office co-chair the task force. The task force is in the process of finalizing a Limited English Proficiency (LEP) plan. The core features of the plan will include training and translation of vital documents. One judge interviewed during the PQV estimated that there are 175 languages and dialects in the service area and 60-75% of those appearing before the court have limited or no English proficiency.

The bilingual paralegal in the Prince William Office conducts intake in the courthouse on Fridays. She also provides interpreter services twice per month in the courts, as needed, and translates protective orders and other legal documents.

LSNV has a well-established volunteer interpreter service which the program prefers to use as a cost-savings measure. The process sometimes runs smoothly but in some cases it has led to delays in assisting clients. There are 60-70 volunteers and of those, twenty are used most often. The most frequently used languages for interpretation are Spanish, Korean, Vietnamese and Ethiopian. Many of the volunteer interpreters are native speakers, some of whom serve as interpreters for the State Department. Staff may use Ethnic Bridge's translation services as an alternative but this requires the approval of a supervisor because of LSNV's need to monitor the costs associated with the service. Many of the program's staff are bilingual, including six intake paralegals. While LSNV historically conducted annual training in ethics and best practices with regard to interpreter services, at the time of the visit, the program's LEP policy did not appear to include an ethics policy or a requirement for training or certification of volunteer interpreters.

***Recommendation II.2.4.1:***

***LSNV should explore the benefits of allowing staff direct access to Ethnic Bridge without the approval of a supervisor. The program can establish clear criteria that would provide guidelines for its use.***

***Recommendation II.2.4.2:\****

***LSNV should ensure that the volunteer interpreters used are formally evaluated and trained. This training should include the ethics of legal interpretation services.***

***Finding 5: LSNV has eight branch offices strategically located throughout the service area to allow ease of access by clients.***

LSNV has eight branch offices located in Fairfax, Alexandria, Arlington, Prince William, Loudoun and Fredericksburg. Each office is strategically located to allow ease of access by clients. Not only are some offices located within close proximity to the courthouse but the program's largest office, which serves as its administrative office as well, is located on the

grounds of the Fairfax County Judicial Center. Fairfax County generously provides, furnishes and equips an office building on the courthouse grounds for LSNV. Similarly, office space is provided within the Fairfax County General District Court for LSNV staff. The Fairfax, Arlington and Loudoun offices lack adequate signage but the program acknowledged at the time of the visit that it is committed to addressing these signage issues where it is possible to do so. In some cases the program is constrained by the codes and guidelines provided by its landlords.

Each branch office is accessible by public transportation with the exception of the Loudoun office. Although the Prince William branch office is technically accessible through public transportation – the VRE and a few bus lines – public transit in Prince William County is not as rider friendly as the public transit services offered in Alexandria, Arlington and Fairfax. Parking is problematic in Alexandria due to the lack of available parking, and the cost of parking within the Fairfax County Judicial Center is costly (\$10/day) and is a potential barrier for some low income clients. LSNV offices are bright and handicapped accessible. They were adequately furnished with appropriate self-help materials in the waiting areas in English and Spanish. The program's offices are open Monday through Friday from 9:00 a.m. until 5:00 p.m.

At the time of the visit, LSNV had been focusing on office safety and security. Some offices had undergone renovations to enhance security by separating the client waiting area from the remainder of the office. In some offices, there was a lack of signage directing applicants to the intake area. Their presence was not clearly visible to program staff once they were seated. In addition, staff was not always physically present at the receptionist desk. On one occasion, the team observed that the intake receptionist was occupied for a significant period of time with a caller while several applicants came in and sat down while expressing uncertainty as to how to ensure that their presence was acknowledged and how to apply for services.

At the time of the LSC visit, several of LSNV's offices were minimally staffed due to limited resources. For example, there were only two attorneys in three of the remote offices. There were four staff in the Loudoun office, including two attorneys, and one intake paralegal in the Route 1 office (attorneys rotate through this office which is more akin to a satellite office). The Fredericksburg office had four staff, including two attorneys who provide advice in the southern part of the service area.

***Recommendation II.2.5.1:***

***If possible, LSNV should provide better signage in its Loudoun, Fairfax and Arlington offices. In addition, LSNV should develop clear and visible signage that instructs clients who enter a separate waiting area how to apply for services.***

***Recommendation II.2.5.2:***

***As part of its strategic planning process, LSNV should examine its office locations and staffing for maximum effectiveness and efficiencies.***

**PERFORMANCE AREA THREE. Effectiveness of legal representation and other program activities intended to benefit the low-income population.**

**Staffing and Expertise**

***Finding 6: LSNV's legal staff is talented, compassionate, dedicated and effective advocates who are committed to their clients and to the mission of the program.***

At the time of the visit, LSNV had 27 attorneys with a good mix of experienced and new attorneys. The legal experience of the staff attorneys ranges from one to thirty-four years. The more senior attorneys have 11 to 17 years of experience with LSNV and overall legal experience ranging from 11 to 36 years. The senior attorneys are resources to other legal services attorneys throughout Virginia.

The program employed thirteen paralegals who are highly experienced. The least experienced paralegal has been working in that capacity for eight years and the most experienced, 35 years. In the past the paralegals provided representation for clients, where permitted and under attorney supervision, in fair hearings such as in public benefits and public housing cases. They also provided litigation support for the attorneys. One paralegal is assigned to provide support under the program's Ryan White funding. While the paralegals primarily conduct intake screening and do office management tasks, on Fridays when no telephone intake is conducted, paralegals are expected to provide substantive litigation support.

**Legal Representation**

***Finding 7: LSNV appears to provide high quality services to the low-income population of its service area.***

The program uses the full range of advocacy tools from negotiation to extended representation to meet its clients' needs. The work ranges from advice to extended representation to appeals as necessary. Attorneys utilize the full range of litigation techniques including: conducting discovery, requesting attorney fees, pursuing remedies for their clients under the Fair Debt Collection Act, and ensuring that monetary awards are received by their clients by placing liens on the opposing party's property.

LSNV enjoys an excellent reputation among the judges, private attorneys, social service providers, and the client community throughout its service area. The judges interviewed reported that the attorneys "are always well prepared," "highly knowledgeable," "professional" and "respectful of their clients." They noted that the program models how to treat clients despite its limited time, resources and staff. The judges also appreciated that LSNV attorneys do not bring cases without legal merit to court, which enhances their reputation.

Several attorneys have been recognized at the Statewide Legal Aid Conference, sponsored by the Virginia Poverty Law Center (VPLC), for their exceptional accomplishments (LASSY Awards). The deputy director of client services was recognized by the Virginia Lawyer's Weekly as a "Leader in the Law" in 2012.

The LSC team reviewed writing samples provided by LSNV advocates in advance of the visit. These were sufficient to meet the purpose for which they were intended. They reflected the types of case work done by the program from motions to appellate briefs as well as the breadth of its substantive priorities. The writing samples also demonstrated zealous advocacy on behalf of individual clients in local courts or forums.

***Finding 8: The program's advocacy staff are unduly limited in accepting complicated cases or pursuing appeals in Virginia's appellate courts or in Federal Court.***

During the visit, several attorneys expressed frustration about their capacity to take complicated cases or appeals. They reported that when they are allowed to take an appeal, they are expected to continue with their regular work loads and intake schedule for new cases. They also expressed frustration about the lack of sufficient clerical support in preparing for these cases.

The LSC team noted that this lack of sufficient paralegal or administrative assistance is also true for all of the program's litigation work including its heavy caseload of domestic violence cases. Domestic violence cases frequently exact an emotional toll on family law practitioners. Having insufficient administrative support adds to the problem and contributes to burn out.

***Finding 9: LSNV is a very productive program.***

The program reported to LSC that it closed a total of 5,013 cases in 2013, up from 4,857 cases in 2012, including 1,060 extended cases (21.1%). The closed cases were in the following substantive areas: family (44.8%), income maintenance (17.4%), consumer/finance (16.6%) and housing (14.2%). For 2013, LSNV was well above the national median (211) for total cases closed per 10,000 poor persons (372). It was also substantially above the national median for extended and contested cases. Case closings by office generally reflected the size of the poverty population served and number of advocates.

## **Legal Work Management and Supervision**

***Finding 10: LSNV has most of the elements of a solid system for management and supervision of its advocacy staff but lacks an office wide litigation calendar and a tickler system.***

The program has most of the elements of a solid system for case management and supervision, including: written case handling and supervision procedures; consistent use of Kemps, the

programs' case management system, including case notes and documents uploaded to the clients' files; office case acceptance meetings; confirmation of advice usually in writing; review of each case by the office managing attorney prior to closure; monthly case status reviews in most offices; regular open case reviews; and frequent practice group meetings that include discussion and review of current cases. In addition to the formal supervision structure, there is a rich culture of supervisors having an open door policy and case discussions among colleagues.

There is no program or office wide litigation calendar. The only central calendar is one for intake appointments. Most of the program attorneys are in court several times a week. The lack of office litigation calendars frustrates the staff's ability to remain organized and prepared, and may cause gaps in coordination in emergency situations.

At the time of the visit, attorneys reported that the program did not have a uniform tickler system. They have various systems for tracking deadlines in their cases but do not have a consistent system for supervisors or peers to have direct access to those deadlines.

LSNV operates under a dual legal work management structure. Attorneys are part of a particular branch office team and also work as a part of a substantive practice group, e.g., family law, housing/consumer, elder law, education or employment. The practice groups track LSNV's substantive priorities.

Supervision responsibilities are divided between the branch office managing attorneys and practice group chairs. Managing attorneys are responsible for administrative supervision such as approving time sheets and vacation leave while practice group chairs supervise the substantive work. Managing attorneys conduct the staff evaluations with input from the practice group chairs. Although such a division of supervision responsibilities can create confusion, staff generally report satisfaction with it. The deputy director is responsible for direct supervision of the managing attorneys, senior attorneys and chairs of the various practice groups.

Although the deputy director is seen by staff as the de facto director of litigation, because of her many responsibilities, she appeared to lack sufficient time to focus on the myriad of tasks usually assigned to litigation directors. These responsibilities include the development of the overall direction for a program's litigation and ensuring that when attorneys undertake complex cases or appeals they continue to be provided the support necessary to be successful.

Each attorney has a number of intake appointment slots each week, which includes the substantive area along with slots designated for emergencies. New attorneys are assigned fewer cases as are managing attorneys and practice group chairs. Intake assignments are made directly to the attorneys from the intake staff. The branch offices have weekly case acceptance meetings to determine whether they will take a case, the level of service to be provided, and to whom it will be assigned. Most often the attorney conducting the intake will handle the case. The case acceptance decision is based on the individual office's capacity and resources and the legal merit

of the case. Sometimes, depending on the complexity of the issues in a case, the decision will be held in abeyance until the case is considered by the substantive practice group as well.

Apparent disparities in caseloads among the branch offices in comparable substantive areas contributed to morale issues among some staff. These disparities seemed to be in part a result of local funding which is restricted to the jurisdiction that provides the funding and often to specific substantive areas of cases. Cases also appear to be unevenly distributed within some branch offices with staff attorneys reporting caseloads as low as 12 and as high as 85 within one office. These disparities are not explained by the difference in experience levels.

During the visit many of the managing attorneys and practice chairs received high marks from the staff they supervise. Specific concern was expressed by managers and some senior attorneys about the behavior and management styles of some managers. These management issues have had an adverse effect on staff morale.

### **Support Resources**

Advocates have access to a wide variety of support resources for their legal work including: the expertise of the senior attorneys within the program; the expertise of attorneys from legal services programs throughout Virginia as well as from private attorneys; internal and external email groups; access to a shared drive with pleadings and briefs; substantive experts at the Virginia Poverty Law Center (VPLC) as well as experts at the national support centers such as the National Consumer Law Center (NCLC); and online resources such as Westlaw.

### **Training**

Attorneys are provided a myriad of local and in-house training opportunities such as attending the Virginia Legal Services Conference, CLE's, etc. Advocates report that attending training is encouraged. However, due to budget cuts, opportunities to attend national and regional training events are more limited which can be problematic for some specialty areas. The program has tried to provide some opportunities to attend national or regional training events through its partnerships with other organizations. For example through VPLC several attorneys recently attended the National Consumer Rights Litigation Conference which took place during the visit. Through networking, a practice group chair was able to attend the Virginia Trial Lawyers Association training (state equivalent of NITA training) which included sitting judges in Northern Virginia serving as coaches. She was similarly sponsored to attend the annual conference for the Virginia Women Attorneys Association.

Several staff attorneys and managing attorneys/practice chairs expressed concern that too often new attorneys receive inadequate training and are not adequately prepared and supported for their first court appearances. Training for new, inexperienced attorneys appears to consist of reviewing written substantive material, receiving Kemps training and having other attorneys observe them when they first appear in court.



***Recommendation III.1.10.1:\****

*LSNV should promptly develop and require that staff utilize an office wide tickler system that meets requirements of its professional liability insurance carrier*

***Recommendation III.1.10.2:\****

*LSNV should set up office wide litigation calendars as soon as possible in order to provide ease and assurance of court coverage when necessary. The calendars should provide a clear view of when and where staff are appearing in court*

***Recommendation III.1.10.3:\****

*The program should review the various duties of the deputy director and make adjustments that would enhance her capacity to undertake more of the tasks and responsibilities related to her duties as the litigation director. As an alternative option, the program may choose to designate a different staff member to assume director of litigation responsibilities under her supervision.*

***Recommendation III.1.10.4:***

*As part of its strategic planning process, LSNV is encouraged to consider allocating program resources provide paralegal support for litigating attorneys thereby, helping to avoid burn out and encouraging more complex and extended case work.*

***Recommendation III.1.10.5:\****

*Given that only one attorney provides client assistance in public benefits, LSNV should consider assigning an experienced paralegal to resume providing representation in public benefits fair hearings if other attorneys are not available or other legal services providers are not providing such representation.*

***Recommendation III.1.10.6:\****

*LSNV should review the caseloads of each attorney and the individual branch offices to determine if there are substantial disparities in the caseloads, and to address those disparities.*

**Private Attorney Involvement**

***Finding 11:*** *LSNV has a highly effective and productive pro bono service component that offers private attorneys an array of opportunities to provide legal assistance to the low income community in Northern Virginia.*

The pro bono project is overseen by a managing attorney for pro bono who is responsible for recruiting attorneys, coordinating training for the volunteers, placing and tracking cases,

finishing cases when the pro bono attorneys can't complete them, setting up clinics, and coordinating the recognition events.

The program reported to LSC that it closed a total of 493 pro bono cases in 2013 including 104 extended service cases (21%). These numbers include cases closed through the subgrant with RLS discussed below. Of those cases, most were in the legal practice areas of family (45%), income maintenance (17%), consumer/finance (17%) and housing (14%). For 2013, LSNV was well above the national median (21) for total cases closed per 10,000 per poor persons (37). It was double the national median (7) for extended cases (16) and contested cases. Close to 400 attorneys accepted pro bono cases.

LSNV offers volunteer attorneys many opportunities to make contributions to the program's mission and equal justice for Northern Virginia. These opportunities include:

**Direct representation:** The pro bono managing attorney refers cases to individual private attorneys. If the case is in a traditional legal services substantive area such as public housing, the pro bono managing attorney will try to find a former staff attorney to take it. The referral letter gives the name of the managing attorney of practice group for the type of case being referred, in the event the pro bono attorney has questions. To provide additional support for new attorneys, there is a mentorship effort which includes staff attorneys. Because staff attorneys have heavy caseloads, the private attorneys are organizing a mentoring project in which the more experienced private attorneys will provide support to the new attorneys.

**Clinics:** Certain types of cases are placed directly from intake to the clinics. The Fairfax Bar sets up the clinics. Each clinic has five spots. LSNV sends a letter with the names, contact information, intake sheet, retainer agreement, status and closing tracking form along with the names of staff attorneys who will assist if needed. The attorney handling the clinic runs a conflict check to ensure ethical standards are met.

Clinics are held in the following substantive areas:

- Housing—held weekly in Fairfax.
- Consumer—held every other week in Fairfax.
- Employment—held every other week in Fairfax.
- Uncontested divorces—held monthly on Saturdays. Paralegal volunteers meet with clients to prepare the paperwork. The cases are then sent to the Fairfax Bar Pro Bono Project to place with attorneys who take the cases to court to obtain the divorces.
- Bankruptcy informational session and debtors' rights clinic--held monthly. After completing the clinic, qualified attendees are referred to either private or staff attorneys to complete bankruptcies.

- Employment—held every other week in Fairfax.

Attorney of the Day: In Fairfax County and with a smaller effort in Alexandria, private attorneys or law firms sign up to assist unrepresented domestic violence victims with permanent protection orders in Juvenile and Domestic Relations Court. The pro bono coordinator reported that in Fairfax every court day of the year is covered. The court intake staff screens and refers eligible clients to the attorney of the day. Participating attorneys agree to take cases on two calendar dates and that they will assist all eligible clients with hearings scheduled on those two dates.

Helpline: LSNV also operates a Helpline providing over the phone advice and counsel through members of the private bar.

Corporate Counsel Project: Every other month corporate attorneys from Exxon-Mobil and Hutton & Williams conduct a clinic for wills and personal directives. Each clinic serves five to eight eligible clients screened and referred by LSNV. In addition, the firms provide an attorney of the day one day a month. Unfortunately, Exxon Mobil is moving its headquarters. LSNV is looking to Freddie Mac to take over its role in the “Attorney of the Day” program.

New Projects: A hallmark of LSNV’s pro bono effort is continually searching for new projects to increase private attorney involvement in the program. The pro bono coordinator reported that Richmond firms with offices in Northern Virginia are organizing themselves to suggest ways they can assist in matching needs and resources.

Tracking: The coordinator reported that tracking cases is a challenge. LSNV used to send quarterly reminders to the volunteer attorneys to send in status reports. At the time of the visit, the program was rolling out a portal to Kemps that allows the attorneys to provide the information on line. Program management believes that this technology will increase case status reporting.

***Finding 12: LSNV is consistently engaged with the Virginia State Bar in recruitment events, and provides training opportunities and support for volunteer attorneys.***

The Virginia State Bar’s aspirational goal for its attorney members is for them to give 2% of their time or 40 hours to pro bono service. LSNV recruits attorneys through various methods. The bar sends a letter about pro bono opportunities with the program to new bar admittees. They hold a happy hour with hors d’oeuvres for the new attorneys in November and show an orientation and training video about the program and the unmet legal needs of the low-income community. Because the program enjoys a good relationship with the bar, staff is able to recruit continually on an informal basis. Some attorneys also come to them to volunteer. The program and the pro bono effort are on Facebook. Staff makes presentations to law firms and corporate counsel to recruit them to participate in the program’s pro bono activities. Former LSNV attorneys are active in the pro bono effort and help with recruitment.

LSNV offers a variety of training events for the pro bono attorneys. Each year they do a training event on protective orders. In exchange for free CLE training, the attorneys agree to serve as attorney of the day. For other free CLE training, they agree to take a certain number of cases. Substantive training events include housing, consumer, and family law. The program also offers CLE training in ethics. Frequently the trainers are pro bono attorneys and judges.

LSNV'S pro bono managing attorney chairs LSNV's internal pro bono task force which meets every two months. Both the executive director and the deputy director attend the meetings. The purpose of the task force is to ensure that pro bono activities are integrated into the program's work and that staff maintain a commitment to involve private attorneys in their work and to the pro bono projects.

***Finding 13: The program acknowledges the contributions of volunteer attorneys through its program of pro bono recognition.***

Recognition for the Volunteer Attorneys: LSNV provides recognition for the services provided by volunteer attorneys through various means including acknowledgement of service in the program's email newsletter and recognition at an annual reception. Awards are given to the attorney, paralegal, and law student volunteers at that event. The local bar associations also provide awards for pro bono service. The program does not send thank you letters at time a case is closed but sends post cards at Thanksgiving thanking them for their service.

LSNV provides access to free CLE ethics training as a reward for service. The program is also able to provide Virginia tax credits for pro bono service. It has \$10,000 to \$15,000 in tax credits that it can provide to the attorney volunteers. The program tries to award them to solo practitioners as an incentive to accept pro bono cases. To obtain the tax credits, Virginia non-profits apply to the Virginia Department of Social Services.

***Finding 14: LSNV supports pro bono services in the southern part of the service area through a subgrant with Rappahannock Legal Services.***

Rappahannock Legal Services (RLS) is a non-LSC funded legal services provider whose service area overlaps the rural, western part of LSNV's service area. LSNV provides a sub-grant of \$45,000 (for FY14) to RLS to place cases referred by LSNV with local pro bono attorneys. The sub-grant calls for RLS to place 90 cases; however, it states that the number is an aspirational goal rather than a firm deliverable. RLS's main office is in Fredericksburg with branch offices in Culpepper and Tappahannock. Each office has a pro bono coordinator. The referred cases are consistent with RLS's priorities, but because of limited staffing resources, cannot be accepted by RLS staff attorneys. The types of cases referred include housing, consumer, and family matters. Part of the sub-grant provides support for RLS's preparation and distribution of its handbook on Virginia and local laws on rental housing. The handbook is provided to the volunteer attorneys and to service applicants with housing problems.

Under the terms of the sub-grant, RLS provides monthly status reports to the pro bono coordinator on the cases RLS has referred on behalf of LSNV. It also calls for the coordinator to visit RLS quarterly. The case information provided by RLS is recorded in Kemps (pro bono attorney, status, hours, and retainer) and tracked until RLS indicates a case has been closed.

***Recommendation III.2.14.1:***

***LSNV is encouraged to consider additional ways to recognize the pro bono attorneys for their service such as a framed certificate for providing a requisite number of hours of service.***

**Other program services and activities on behalf of the low-income population**

***Finding 15: LSNV engages in a variety of other services and activities that extend access to the eligible client population.***

LSNV has formed collaborative partnerships with several human services agencies and non-profit organizations in order to provide a seamless safety net of services for the low income population. Through its work with Loudoun Cares, the program accepts referrals and provides assistance regarding housing, domestic violence, wills and social security matters. Similarly, the Arlington branch office works closely with the Doorways Victim Advocate Domestic Violence program to provide assistance to victims of homelessness and domestic violence. The program has also worked with Fairfax County Coordinated Services for 14 years which is the entry point for social services for the county. The agency handles 400 calls per day and approximately 30% of those calls result in referrals to LSNV typically for housing assistance, evictions and in a variety of other areas. LSNV conducted 12 community education events throughout the service area from September, 2013 through September of 2014.

Some of the LSNV staff is aware of the resources available through VirginiaLegalAid.org; however, the program could do better in directing members of the low income community to this web based resource. VirginiaLegalAid.org, offers training and insights for members of the bar and the community and is a mobile-friendly, web based resource.

***Recommendation III.3.15.1:***

***The program is encouraged to be more proactive in directing the low-income population to self-help resources such as VALegalAid.org and should consider including a link on its website and directing callers to the site on the program's automated messages.***

## **PERFORMANCE AREA FOUR. Effectiveness of governance, leadership and administration.**

### **Board Governance**

***Finding 16: The LSNV board of directors is committed to the program's mission and has demonstrated renewed leadership in raising funds for the program.***

LSNV's board is composed of twenty-four board members, of whom one-third are female and one-third are a combination of African American (four African American females - three are client board members), Latino (one is a client board member) and Asian (both are client board members), reflecting the diversity of the service area. Attorney members of the board have been appointed by the Alexandria Bar, the Arlington Bar, the Fairfax Bar, the Fredericksburg Bar, the Loudoun Bar and the Prince William Bar. Client eligible appointing organizations include the Boat People, SOS, the Women's Center, Our Daily Bread and the Angkor Association. In the board's January 2014 meeting, the board president noted that it was the 90<sup>th</sup> birthday of one of its longest-serving client eligible board members.

***Finding 17: Board composition and board development need to be addressed as priorities.***

LSNV was one client board member shy of the number of client eligible board members required under 45 C.F.R. Section 1607 following the visit. As of the date of the visit, LSNV had placed several ineligible board members in client-eligible slots due to a misunderstanding of the financial eligibility requirements contained in 45 C.F.R. Section 1607 which pertain to proper board composition. To its credit, following the LSC visit, the executive director and the board acted immediately to rectify the placement of ineligible board members in those slots. LSNV's board is in the process of appointing client-eligible members who meet the requirements of the LSC regulations. The board members who were mistakenly considered as client eligible were placed in at-large board positions. The board lacks a member who has a financial background or special expertise in financial accounting or financial management.

New board members receive a package of materials pertaining to the board's bylaws, LSC regulations, priorities, funding sources and expectations; however, they do not receive any formal training or orientation. The newly elected board president indicated that he participated in an LSC "oversight of funds" webinar. Among other bylaws, no member on the board may serve as president for more than four consecutive terms of one year. There are no other term limits.

The president works closely with the executive director on the budget and budgetary presentations at each quarterly board meeting. The board meets quarterly at various locations within the service area. LSNV staff regularly attends the board meetings and report on their program areas. Financial statements are issued to the board in advance of each quarterly meeting. In its June 2014 board of director's meeting, the board approved LSNV's FY-2015 budget with a raise for each staff member effective October 1, 2014. The executive committee was tasked with

proposing a revised compensation plan in the September 2014 board meeting, which went into effect in October. The board approved a salary increase for the executive director in its September 2014 board meeting.

The LSC team noted that the board regularly evaluates the executive director. Evaluations were conducted in 2011, 2012, 2013, and in the spring of 2014. Each board member was given a questionnaire to provide feedback on the executive director's performance. The board found the input of staff, at various levels within the program, to be valuable. The board anticipates evaluating the executive director again in 2014-2015 but there is no formal requirement contained in the by-laws.

***Recommendation IV.1.17.1:\****

***The board should pursue opportunities in the near future for ongoing board development and should specifically provide formal orientation and training for new board members.***

***Recommendation IV.1.17.2:\****

***The board is encouraged to recruit a board member who has a finance background and/or financial expertise.***

***Recommendation IV.1.17.3:\****

***LSNV should prioritize identifying and appointing sufficient client eligible board members to bring the board's composition into compliance with LSC regulations.***

**Leadership**

***Finding 18: The program's leadership is highly respected by the bench and the bar, and is credited with rising to the challenge and successfully merging two previously independent legal services programs into one unified law firm.***

Under the combined leadership of the executive director and the deputy director of client services, the groundwork was formed that allowed for a seamless transition from two independent legal aid programs into one unified firm. Under the executive director's leadership, the newly formed program has emerged as the largest LSC funded civil legal aid program in Virginia. The executive director is credited with maintaining the financial stability of the program despite the program suffering significant losses in local, federal and state funding.

The deputy director of client services oversees the program's legal work and advanced the program's delivery of services with enhancements in technology and intake. The deputy director fulfills multiple roles – managing, supervising, coaching and mentoring the managing attorneys, practice group chairs and the senior attorneys. She was recognized in the December 2012 board meeting for her selection by the Virginia Bar Association as a "Leader in the Law." As such, she was featured in the Virginia Lawyer's Weekly magazine. Both the executive director and the deputy director were appointed to serve on the Virginia State Bar's Access to Legal Services

Committee. The executive director has served as Co-Vice Chair of this statewide committee for the past two years.

**Overall management and administration including financial management and human resource administration.**

***Finding 19: The program has developed a unique division of labor that has proven to be effective in insuring that the office consistently manages approximately 30 funding sources and meets its financial and HR responsibilities.***

LSNV's day to day operations are organized around the careful division of responsibilities between the executive director, the deputy director of client services and the administrative staff. The executive director directly supervises the deputy director of client services and key administrative staff; designs, administers and implements the annual \$4.5 million or so budget; leads resource development efforts with key staff; promotes and fosters collaborative relationships with the private and public sector; and interacts with the 23 member board of directors. He is currently leading the comprehensive needs assessment survey and the strategic planning sessions.

The program employs a full-time program administrator and a part-time bookkeeper who is an independent contractor, both of whom report to the executive director. The program administrator has a Master's Degree in Business Administration (MBA) and is a Certified Public Accountant (CPA). He has extensive experience as a controller, executive administrator and administrator of finance in the non-profit and commercial sectors. The bookkeeper is also a CPA and has been with LSNV for almost ten years.

All of the administrative staff, including the deputy director, the director of grants management and special projects, program administrator, information and technology manager and accountant report directly to the executive director. The bookkeeper prepares the budget (under the direction of the executive director) and generates monthly financial reports. The executive director ultimately presents the budget to the board for approval. The bookkeeper also handles the accounts payable records, vendors bills and payments, records deposits, generates monthly statements, balances the checkbooks (the program administrator makes the deposits), prepares for the annual audit, serves as the auditor's liaison and works closely with the director of grants management. The program administrator handles the day to day financial operations and shares HR and fiscal oversight responsibilities with the executive director. He updated the accounting manual in October 2011. Changes are made as needed, for example, there were recommended updates in the branch office management of client trust accounts.

The FY 2015 budget reflected a \$250,000 reduction in funding from the Fairfax County government. Notably, LSNV does not project the next year's budget in advance. The program



received \$1,228,660 in LSC funds for 2014; up from \$1,062,586 in 2013. The program received a total of \$3,476,498 in non-LSC funds in 2013.

***Recommendation IV.3.19.1:***

***The program should consider including a two-year budget projection beyond the current fiscal year when adopting its budget for purposes of financial management.***

***Finding 20: LSNV employs a management structure that may not consistently benefit the firm or its staff.***

LSNV's current management structure and oversight may not always ensure that each branch office is managed consistently and properly. The LSC team encountered pockets of low staff morale in some offices that was reported to be directly linked to poor office management practices and the lack of consistent enforcement of program policies by managing attorneys. Each branch office is also assigned an office manager who is responsible for local oversight of the office's finances, supplies, time sheets and scheduling. The office managers have been provided training on handling client trust accounts but have received very little additional training. In some cases, the office managers have been in place for many years.

The personnel manual was updated in July 2012 and is fairly comprehensive. It addresses one point of concern that was noted during the visit to have adversely impacted employee morale - transfers of staff between offices and units. Some staff expressed concern that vacant positions had not been posted internally and therefore employees were not given an opportunity to apply or be considered for positions in other offices or units. LSNV's policies clearly describe decisions regarding inter-office transfers as matters of management discretion. Without the job postings, however, some staff interested in transferring from one office to another have been disappointed at not being able to take advantage of these opportunities.

The program is credited with enacting a workplace safety committee which met for the first time in December 2013. As a result, the program has made physical improvements in each of its offices to improve work space safety, by placing locks, intercom systems, video recording equipment and structural barriers in place to prevent unauthorized persons from wandering through the office space. Protocols are being developed to address a workplace violence prevention plan as well as protocols for handling aggressive individuals and potentially dangerous workplace situations.

***Recommendation IV.3.20.1\****

***LSNV should evaluate the effectiveness of its managing and supervising attorneys to ensure that each branch office is being managed and supervised properly, and take steps necessary to improve performance. The program should ensure that its management structure provides support necessary to meet the program's goals and help to improve employee morale and retention.***

***Recommendation IV.5.20.1:***

***LSNV should post position vacancies internally so that eligible employees can have the opportunity to apply for positions.***

**Internal Communication**

***Finding 21: LSNV's internal communications take shape in a variety of ways throughout the program's offices and provide several venues for training, updates and discussion.***

The program offers a number of opportunities for staff to interface and obtain support for their daily work, including, monthly management meetings with the executive director and the deputy director; bi-weekly practice group meetings effective January 2015; quarterly "all staff" meetings (two substantive and two celebratory); and annual one on one staff meetings with the executive director. Each branch office holds regular staff meetings particularly in relation to case acceptance discussions and case reviews.

**Technology**

***Finding 22: LSNV created a technology committee and developed a strong, cloud first IT plan for the program***

One of the program's greatest strengths has been its recognition that technology is necessary to advance its mission to provide high quality legal services to the low income population that it serves. As a result, in January 2013, LSNV formed a Technology Task Force to review its systems and recommend improvements that would allow the program to perform its functions more efficiently and effectively. These steps helped LSNV establish itself as a leader in using technology that enhances its ability to better meet the needs of its staff and clients.

LSNV hired a full-time IT director in February 2013. He receives high marks for greatly improving and advancing technology in the office, which in turn has advanced the office's technology objectives. LSNV has adopted a cloud first strategy with respect to information technology and moved forward with that strategy with funding from the Phillip L.Graham Fund. The program installed *Microsoft Office 365* as its operation system. Staff expressed general satisfaction with their work stations, the capacity for remote access and the program's telephone system.

LSNV has a newer hosted version of Kemps. While the new hosted version of Kemps appears to meet many of the needs of the program, some staff described certain components, such as the conflicts check and the file upload features, as challenging and counterproductive.

## **Resource Development**

***Finding 23: LSNV has made a concerted effort to maintain and increase its funding base.***

Under the leadership of the executive director and the board, LSNV has launched an aggressive resource development campaign. The board retained a fundraising expert in 2014 to conduct a feasibility study and make recommendations regarding a capital campaign for LSNV. The board approved development of a position for a full-time resource development director who was hired in July 2014. As a result of its efforts, the board led gala in 2013 netted the program \$104,000.

The new director of development has extensive experience working with non-profits serving the low income population. Although she does not have experience with civil legal aid programs, she has attended MIE training and the 2014 NLADA Annual Conference. Her primary objective is to raise the program's profile in the community and obtain sustained funding from the public and private sector. Since the LSC visit, she has created and disseminated an annual report, four issues of LSNV's new e-newsletter, and other collateral materials for the program. The director of development works in conjunction with the director of grants management. Under the direction of the board, the director of grants management and special projects usually coordinates the program's annual fundraising gala.

## **Participation in an Integrated Delivery System**

***Finding 24: LSNV is a key part of a comprehensive, integrated service delivery system in Virginia.***

LSNV plays a key role in addressing the civil legal needs of the low income population in its service area and is part of a statewide effort to address those needs. The bench, the bar and other key stakeholders indicated that LSNV is relied upon to meet the needs of low income individuals and families in fundamental areas of need related to housing, consumer rights, family matters, income maintenance and elder law. As such, LSNV staff lends their expertise to and presence at the statewide conference hosted by the Virginia Poverty Law Center (VPLC). Advocates are actively engaged in and participate on VPLC's substantive task forces and email groups.